

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**YETI Coolers, LLC,**

**Plaintiff,**

**v.**

**Mercatalyst, Inc., TerraCycle US, LLC,  
Akshar Plastic, Inc., Devang H. Patel,  
Oscar Guel, Robert N. Rezak, Global  
Xcessories, Inc., and Daniel Gavrielov,**

**Defendants.**

**Case No. 1:22-cv-1337-DAE**

**Jury Trial Demanded**

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**Mercatalyst, Inc.,**

**Third-Party Plaintiff,**

**v.**

**United National Closeout Stores, Inc.,**

**Third-Party Defendant.**

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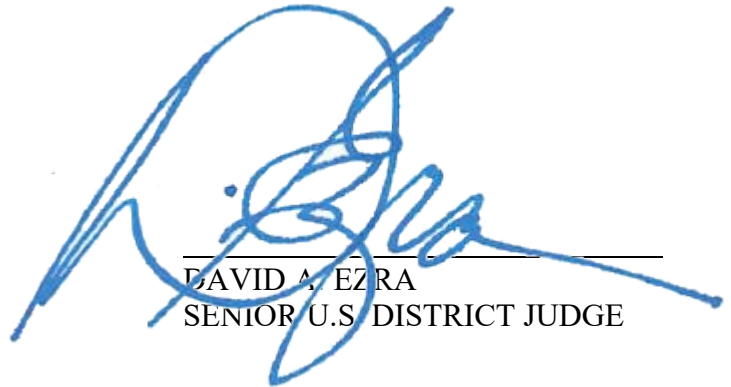
**ORDER OF DISMISSAL WITH PREJUDICE AS TO  
DEFENDANT TERRACYCLE US, LLC**

Before the Court is the Agreed Motion to Dismiss YETI Cooler's, LLC's ("YETI's") claims against TerraCycle US, LLC ("TerraCycle"). Having reviewed the Motion, the Court finds it is meritorious and should be granted.

IT IS ORDERED that the Agreed Motion to Dismiss YETI Cooler's LLC's claims against TerraCycle is GRANTED and all of YETI's claims against TerraCycle, along with any counterclaims that were brought or that could have been brought by TerraCycle against YETI, are hereby dismissed with prejudice to refiling. Each party shall bear its own costs and attorneys' fees.

IT IS SO ORDERED.

DATED: \_\_\_\_\_ July 22, 2025.



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DAVID A. EZRA  
SENIOR U.S. DISTRICT JUDGE

**AGREED AS TO FORM AND SUBSTANCE:**

Date: July 22, 2025

Respectfully submitted,

**ALLEN OVERY SHEARMAN STERLING US LLP**

*/s/ David P. Whittlesey*

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*/s/ Cristina Guerrero*

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